



S000016%\$%2003

2001, 2002, 2003

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.

Use Complete and Return This Form by August 1, 2004.

If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: RUSS TODD;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

RUSS TODD

10201 RIDGEWAY HWY

POTTER VALLEY, CA 95469

STATEMENT NO.: S000016
CONTACT PHONE NO.: (707)743-1390

Source Name: MILL CREEK

Tributary To: EEL RIVER

County: Mendocino

Diversion Within: NW1/4 of SW1/4 Section 29, T18N, R11W, MB&M

Year of First Use: 1890

Parcel Number:

A. Water is used under: Riparian claim _____ Pre 1914 right ☒ Other (explain): _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month.

Amounts below are:													Total Annual
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	
2001	X	X	X	X	X	X	X	X	X	X	X	X	
2002	X	X	X	X	X	X	X	X	X	X	X	X	
2003	X	X	X	X	X	X	X	X	X	X	X	X	

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation 2 1/2 acres; Stockwatering 15 head sheep; Domestic Family 5;

Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO ☒

Describe any water conservation efforts you have initiated: _____

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

Reductions in consumptive use:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

AUG 2 2004

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO X
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr ____ (af/mg) yr ____ (af/mg) yr ____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES ____ NO ____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO X
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr ____ (af/mg) yr ____ (af/mg) yr ____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES ____ NO ____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: July 25, 2004 at 19201 Ridgeway Hwy Pitter Valley, California

SIGNATURE: Russ Todd

PRINTED NAME: Russ W Todd
(first name) (middle init.) (last name)

COMPANY NAME: _____

If there is insufficient space for your answers, please use the space provided below.

ITEM CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriate rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

96 JUL 16 PM 12:57

P.O. BOX 2000 SACRAMENTO, CA 95812-2000

(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 16

Russ Todd
10201 Ridgeway Hwy.
Potter Valley, CA 95469

TELEPHONE NO:
(907) 743 1390

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT...

SOURCE: Mill Creek

TRIBUTARY TO: Eel River

COUNTY: Mendocino

DIVERSION

WITHIN: NW 1/4 of SW 1/4 of Section 29, T18N, R11W, B&M

COMPLETE AND RETURN THIS FORM BY JULY 1, _____.

A. Water is used under: Riparian claim 2; Pre 1914 right 2; Other (explain) _____

B. Year of first use (Please provide if missing above) _____.

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☒ Gallons ☐ Acre-feet ☐ (other) _____

JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT.	OCT.	NOV.	DEC.	TOTAL ANNUAL
20,000	20,000	20,000	20,000	40,000	45,000	50,000	50,000	40,000	35,000	20,000	20,000	280,000
"	"	"	"	"	"	"	"	"	"	"	"	"
"	"	"	"	"	"	"	"	"	"	"	"	"

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering _____; Domestic _____
Other (specify) _____

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: July 10, 1996, at Potter Valley, Ca, California

Signature: Russell W. Todd

by Donald S. Todd

ID 0:000016 REC TYPE(STATE) STATUS: ACTIVE 11/02/1966

OWNER SEQ 0:01 DON TORD
ADDRESS SEQ 0:01 800 OLD HAZEN ROAD
01 POTTER VALLEY, CA 95469

DATE FILED:11/02/1966 CUSTOMER 0: TYPE: PHONE: 707-745-1751 FEE AMT:0 0.00 FEE RCS:0 0.00 DATE ADV: 01

MAX DIR/DIV:00000.000 OPD MAX DIR/DIV AMN/U:00000000.0 AF MAX STO:00000000.0 AF MAX AMN/U:00000000.0 AF VR 1ST USE:1990 04

SOURCE SEQ 0:01 TRID SEQ 0:01 NAME:MILL CREEK
02 CEE RIVER

SOURCE SEQ 0:01 DIVR SEQ 0:01 LOT 0: NAME: 129 10N 11W CAL/COORD:2 N0420250 E1605700 CNTV:25 D/CODE: D/TYPE: WELL: 120A
SOURCE SEQ 0:01 DIVR SEQ 0:01 MAP:POHO NE 0:IF 000 MIN/SEC:7.5 LAT: DES LOW: DES
SOURCE SEQ 0:01 DIVR/EXTRAC SEQ 0:01 DIR/DIV:00000.000 D/D/AC-PT/AMN:00000000.0 STOR:00000000.0 AC-PT STOR CODE: 120B
SOURCE SEQ 0:01 MAX DIR/DIV/SOURCE:00000.000 MAX STOR/SOURCE: 00000000.0 AC-FT 120C
USE (1) D/D S1:05/01-11/30 S2: - D/D AMT: 0.0AF STO: 0.0 0: 0.0 0: 0.0 P: 0.14
(S) D/D S1:05/01-11/30 S2: - D/D AMT: 0.0AF STO: 0.0AF N/AC: 0.0AF N/AC: 0.0 P: 0.14
TEXT TYPE:INDX SEQ 0:01 ACTION DATE:11/02/1966 COMMENTS:000, DON 22

S 16

Sept 16

(916) 657-2046
FAX: (916) 657-1485

SEP 29 1994

In Reply Refer
to:341:RMD:S16/S9524

Don Todd
13500 North Busch Lane
Potter Valley, CA 95469

Dear Mr. Todd:

STATEMENTS OF WATER DIVERSIONS AND USE; STATEMENT NO. 16 WHITNEY CREEK TRIBUTARY TO EEL RIVER IN MENDOCINO COUNTY AND STATEMENT NO. 9524 MILL CREEK TRIBUTARY TO EEL RIVER IN MENDOCINO COUNTY

This letter is to follow up your visit to our office on September 21, 1994.

As we discussed, I was unable to locate any appropriative water right (permit, license, stockpond certificate, or small domestic use registration) issued by the State Water Resources Control Board in your name or for your property in Mendocino County.

However, I did locate records in your name associated with two claims to riparian rights as referenced above. A valid riparian claim is a vested right that is superior to any appropriative right issued by the State Water Resources Control Board. Use of water under a claim of riparian rights is documented by filing a Statement of Water Diversion and Use (Statement). Additional information is provided in the enclosed booklet and Information Sheet WR 40 concerning Statements.

Initial Statements have been filed on the two riparian claims referenced above. Supplemental statements are required at three-year intervals. As you indicated during your September 21, 1994 office visit, our records do not show any recent filings (since 1981) of Supplemental Statements. Therefore, as requested, enclosed are blank Supplemental Forms (Form WR 40-1) for your use.

If you have any questions, please write or telephone me at the above number.

Sincerely,

ORIGINAL SIGNED BY

Ronald M. Duff
Associate WRC Engineer
Permit and License Unit

Enclosures

bcc: KSN

SURNAME

DWR 540 05.1.1 05

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RMDuff
9.28.94

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RIGHTS BOARD

STATEMENT OF WATER DIVERSION AND USE

This statement should be typewritten or legibly written in ink.

A. Name of person diverting water HARRY-A-SAILORS
Address Box 275-RT-1- POTTER VALLEY

B. Name of body of water at point of diversion MILL CREEK
Tributary to EEL RIVER

C. Place of diversion N.W. 1/4 S.W. 1/4 Section 29, Township 16N, Range 11W, M. 12.2024,
MENPOCINE County, or locate it on sketch of section grid on reverse side with regard to section lines or prominent local landmarks.

D. Name of works W.E. RANCH

E. Capacity of diversion works
Capacity of storage reservoir 4000
State quantity of water used each month beginning or around 12th of month 1990

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1990													216,000 gal

If monthly and annual use are not known, check months in which water was used. State extent of use in units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.

Maximum annual water use in recent years app 216,000
Minimum annual water use in recent years 216
Type of diversion facility: gravity ☒, pump ☒
Method of measurement: flow, meter, gate, electric power meter, water meter, other
F. Purpose of use (what water is being used for) FAMILY TREES, 2 AC. PASTURE, LAWN, SUN,
HORSE, 7 SHEEP, AV-5 PEOPLE
G. General description or location of place of use (use sketch of section grid on reverse side if you desire) PASTURE, ROLLING HILLS, PINE FIRE OAK TREES, GARDEN
H. Year of first use as nearly as known 1890
I. Name of person filing statement HARRY-A-SAILORS
Position OWNER Organization 1
Address Box 275-RT-1- POTTER VALLEY

I certify that the foregoing statements are true and correct to the best of my knowledge and belief.

Date signed 10-30-86

See Instructions on Reverse Side